

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:10-CR-247
	:	
v.	:	(Judge Conner)
	:	
ALLEN ROBERTS, JR.	:	

ORDER

AND NOW, this 28th day of February, 2011, upon consideration of the motion (Doc. 41) for transcripts filed *pro se* by defendant Allen Roberts, Jr. ("Roberts") on January 28, 2011, and it appearing that Roberts is represented by counsel but filed the instant motion without assistance therefrom, see United States v. D'Amario, 268 F. App'x 179, 180 (3d Cir. 2008) ("The Constitution does not confer a right to proceed simultaneously by counsel and *pro se* . . ."); see also United States v. Vampire Nation, 451 F.3d 189, 206 n.17 (3d Cir. 2006), and the court noting that during the hearing on removal of counsel Roberts stated that counsel provided him with two of the three requested transcripts and was in the process of obtaining the third transcript for Roberts, it is hereby ORDERED that the motion (Doc. 41) is DENIED without prejudice to Roberts' right to re-file the motion with the assistance of counsel or at such time that the court grants Roberts permission to proceed *pro se* in the above-captioned matter.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge